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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Avi PENNER et al

Serial No.: 10/638,405

Filed: August 12, 2003

For: Devices for Intrabody Delivery ...

Examiner:

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Group Art Unit: 2834

Attorney
Docket: 26199

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RENEWED REQUEST FOR CORRECTED FILING RECEIPT

Sir:

On December 31, 2003, Applicant had heretofore requested a corrected filing receipt and had received the attached response dated February 2, 2004, copy attached herewith.

Also attached is a copy of the original request for corrected filing receipt containing a copy of the official filing receipt received from the United States Patent and Trademark Office in the above application.

Said original request contains copies of the first paragraph of the application as well as the Declaration.

Issuance of a corrected filing receipt is respectfully requested.

Please have "Domestic Priority data as claimed by applicant" read:

"This Application is a continuation of co-pending U.S. Application Serial Number 09/930,455, filed August 16, 2001. This Application also claims priority of co-pending U.S. Application Serial Number 10/235,968, filed September 6, 2002,

which is a continuation of U.S. Application Serial Number 09/691,887, filed October 20, 2000, now U.S. Patent No. 6,504,286, which is a continuation of U.S. Application Serial Number 09/000,553, filed December 30, 1997, now U.S. Patent No. 6,140,740, all of which are incorporated by reference herein in their entireties.”

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sol Sheinbein', written in a cursive style.

Sol Sheinbein
Registration No. 25,457

Date: September 6, 2004



APPLICANT : PENNER et al
DOCKET NO. : 26199
SERIAL NO. : 10/638,405
FILED : August 12, 2003
FOR : Devices for Intrabody Delivery



Receipt of the following papers is acknowledged by the U.S. Patent & Trademark Office as evidenced by the Mail Room Stamp:

CORRECTED FILING RECEIPT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO. TITLE
10/638,405	08/12/2003	Avi Penner	26199

G.E. EHRLICH (1995) LTD.
c/o ANTHONY CASTORINA
SUITE 207
2001 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

CONFIRMATION NO. 5158



OC000000011810086

Date Mailed: 02/02/2004

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.

☒ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.

- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: **Country, Application number, Filing date.**
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

- ☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.
- ☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
- ☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.

Ruth BERGER

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

File Copy

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

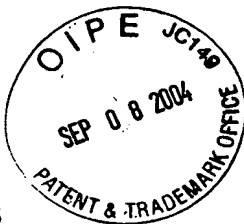
Avi PENNER et al

Serial No.: 10/638,405

Filed: August 12, 2003

For: Devices for Intrabody Delivery ...

Examiner:



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Group Art Unit: 2834

Attorney
Docket: 26199

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Attached is a copy of the official filing receipt received from the United States Patent and Trademark Office in the above application. Issuance of a corrected filing receipt is respectfully requested.

Please add to "Domestic Priority data as claimed by applicant:
"and claims priority of 10/235,968 09/06/2002 which is a CON
of 09/691,887 10/20/2000, which is a CON of 09/000,553 12/30/1997"

A copy of the first paragraph of the application and the Declaration setting forth the above is attached hereto.

Respectfully submitted,

Sol Sheinbein
Registration No. 25,457

Date: December 25, 2003



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/638,405	08/12/2003	2834	708	26199	4	43	6

CONFIRMATION NO. 5158

G.E. EHRLICH (1995) LTD.
c/o ANTHONY CASTORINA
SUITE 207
2001 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

FILING RECEIPT



OC000000011214508

Date Mailed: 11/07/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Avi Penner, Tel Aviv, ISRAEL;
Eyal Doron, Kiryat Yam, ISRAEL;

Assignment For Published Patent Application

Remon Medical Technologies Ltd.;

Domestic Priority data as claimed by applicant

This application is a CON of 09/930,455 08/16/2001

Foreign Applications

If Required, Foreign Filing License Granted: 11/07/2003

Projected Publication Date: 02/19/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Devices for intrabody delivery of molecules and systems and methods utilizing same

Preliminary Class

310

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

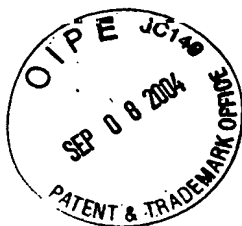
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



APPLICATION FOR PATENT

Inventors: PENNER Avi; DORON Eyal

Title: DEVICES FOR INTRABODY DELIVERY OF MOLECULES
AND SYSTEMS AND METHODS UTILIZING SAME

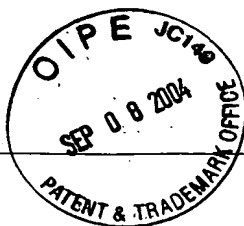
RELATED APPLICATIONS

This Application is a continuation of co-pending U.S. Application Serial Number 09/930,455, filed August 16, 2001. This Application also claims priority of co-pending U.S. Application Serial Number 10/235,968, filed September 6, 2002, which is a continuation of U.S. Application Serial Number 09/691,887, filed October 20, 2000, now U.S. Patent No. 6,504,286, which is a continuation of U.S. Application Serial Number 09/000,553, filed December 30, 1997, now U.S. Patent No. 6,140,740, all of which are incorporated by reference herein in their entireties.

FIELD AND BACKGROUND OF THE INVENTION

The present invention relates to a device for intrabody delivery of molecules, to a method and system of utilizing same and to a method of fabricating same. More particularly, embodiments of the present invention relate to a drug delivery device which utilizes an acoustic transducer for generating an electrical activation signal from an acoustic signal received thereby.

The efficacy of drug treatment is oftentimes dependent upon the mode of drug delivery.

Docket No.
26199

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DEVICES FOR INTRABODY DELIVERY OF MOLECULES AND SYSTEMS AND METHODS UTILIZING SAME

the specification of which

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT

International Application Number _____

and was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all the information known to me to be material to patentability as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

10/235,968

(Application Serial No.)

SEPTEMBER 6, 2002

(Filing Date)

pending

(Status)
(patented, pending, abandoned)

09/930,455

(Application Serial No.)

AUGUST 16, 2001

(Filing Date)

pending

(Status)
(patented, pending, abandoned)

09/691,887

(Application Serial No.)

OCTOBER 20, 2000

(Filing Date)

patented

(Status)
(patented, pending, abandoned)

09/000,553

(Application Serial No.)

DECEMBER 30, 1997

(Filing Date)

patented

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

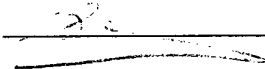
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

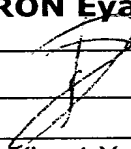
Sol SHEINBEIN,	Registration Number 25,457
D'vorah GRAESER,	Registration Number 40,000
Martin MOYNIHAN	Registration Number 40,338
Rochel ABBOUDI,	Registration Number 44,490

Send Correspondence to: G.E. EHRLICH (1995) LTD.
c/o ANTHONY CASTORINA
2001 JEFFERSON DAVIS HIGHWAY, SUITE 207
ARLINGTON, VIRGINIA 22202

Direct Telephone Calls to: *(name and telephone number)*

Anthony Castorina Tel. No. (703) 415-1581
 Fax No. (703) 415-4864

FULL NAME OF FIRST INVENTOR		PENNER Avi
First inventor's signature		Date <u>30.7.03</u>
Residence	:	1 Boyer Street, 69 127 Tel Aviv, Israel
Citizenship	:	ISRAELI
Post Office Address	:	1 Boyer Street, 69 127 Tel Aviv, Israel

FULL NAME OF SECOND INVENTOR		DORON Eyal
Second inventor's signature		Date <u>31/02/03</u>
Residence	:	19 Marganit Street, 29 500 Kiryat Yam, Israel
Citizenship	:	ISRAELI
Post Office Address	:	19 Marganit Street, 29 500 Kiryat Yam, Israel